

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CHANG MIN LU, et al.,

Plaintiffs,

v.

PACIFIC RIM ENTERPRISES, et al.,

Defendants.

Case No.: C 09-6058 PVT

**ORDER TO SHOW CAUSE WHY
CASE SHOULD NOT BE DISMISSED
FOR FAILURE TO PROSECUTE; AND**

**VACATING CASE MANAGEMENT
CONFERENCE**

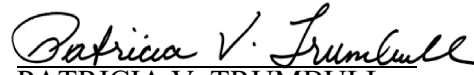
Plaintiffs filed this action on December 29, 2009. The initial Case Management Conference was originally scheduled for April 6, 2010. On March 31, 2010, Plaintiffs filed a Case Management Conference Statement in which they requested a sixty day continuance to allow them to work out certain matters, including whether the complaint had been properly served. On April 1, 2010, the court continued the Case Management Conference to June 8, 2010, and set a deadline of June 1, 2010 for the parties to file their Joint Case Management Conference Statement. As of June 4, 2010, the parties have not filed the Case Management Conference Statement. The court has previously cautioned Plaintiffs' counsel that failure to timely file a Case Management Conference Statement (whether joint or separate) may well result in an order to show cause why the case should not be dismissed for failure to prosecute. (*See Solorio v. Alvarado*, Case No. C09-4537, docket no. 19).

1 Therefore, based on the file herein and the court's prior warning to Plaintiffs' counsel,

2 IT IS HEREBY ORDERED that, no later than June 15, 2010, Plaintiffs' counsel shall file a
3 declaration showing cause, if any, why this case should not be dismissed for failure to prosecute. *See*
4 *FED.R.CIV.PROC. 41(b)*.

5 IT IS FURTHER ORDERED that the Case Management Conference set for June 8, 2010 is
6 VACATED.

7 Dated: *June 4, 2010*

8 
9 PATRICIA V. TRUMBULL
United States Magistrate Judge